

House Bill 258

By: Representatives Wilkinson of the 52nd and Murphy of the 23rd

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 40-5-26 of the Official Code of Georgia Annotated, relating to applications of minors for drivers' licenses and distinctive licenses for persons under age 21, so as to provide for revocation of minors' permits and drivers' licenses upon requests by persons who signed and verified the minors' applications; to provide for issuance of new instruction permits and drivers' licenses following such revocations; to provide for a mandatory waiting period; to provide for insurance matters related to such revocations; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-5-26 of the Official Code of Georgia Annotated, relating to applications of minors for drivers' licenses and distinctive licenses for persons under age 21, is amended by striking subsection (a) and inserting in lieu thereof the following:

"(a)(1) The application of any person under the age of 18 years for an instruction permit or driver's license shall be:

(1)(A) Signed and verified by the father, mother, or guardian of the applicant before a person authorized to administer oaths or, in the event there is no parent or guardian, by another responsible adult; or

(2)(B) Signed and verified by a licensed driver training instructor before a person authorized to administer oaths when such instructor is acting as an agent for such purposes on behalf of the father, mother, or guardian of the applicant and such agency is evidenced by permission of such parent or guardian which has been granted in writing and signed and verified by such parent or guardian before a person authorized to administer oaths and on such form as shall be prescribed by rule or regulation of the department.

(2)(A) A person who signed and verified a minor's successful application for an instruction permit or driver's license may subsequently during such minority request

1 revocation of the minor's instruction permit or driver's license by written notice to the
2 department on such form as specified thereby, signed and verified before a person
3 authorized to administer oaths. If the request for revocation is submitted by a licensed
4 driver training instructor acting as an agent on behalf of the father, mother, or guardian
5 of the applicant, such agency must be evidenced by permission for the revocation of
6 such parent or guardian which has been granted in writing and signed and verified by
7 such parent or guardian before a person authorized to administer oaths. Upon receipt
8 of such request and payment of a fee in an amount equivalent to that which was
9 required for issuance of the instruction permit or driver's license, and after a mandatory
10 three business day waiting period, during which the request for revocation may be
11 withdrawn but the fee shall not be returned, the department shall revoke the minor's
12 instruction permit or driver's license.

13 (B) A minor whose instruction permit or driver's license has been revoked under this
14 paragraph shall not be eligible for issuance of another instruction permit or driver's
15 license until he or she reaches 18 years of age, unless consent for issuance of an
16 instruction permit or driver's license has been granted as provided by
17 subparagraphs (A) and (B) of paragraph (1) of this subsection upon application of the
18 minor made not sooner than three months after the effective date of revocation.

19 (C) The provisions of Code Section 40-5-62 shall not apply to a person whose
20 instruction permit or driver's license has been revoked under this paragraph.

21 (D) A revocation of a minor's instruction permit or driver's license under this
22 paragraph shall not be deemed a revocation for purposes of any increase in insurance
23 rates or cancellation of any policy of motor vehicle insurance for which the minor is not
24 the sole named insured, but such a policy may be amended so as to remove such minor
25 from the list of named insureds under such policy."

26 **SECTION 2.**

27 This Act shall become effective upon its approval by the Governor or upon its becoming law
28 without such approval.

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.